

IC 25-23.5-5

Chapter 5. Certification; Examinations

IC 25-23.5-5-1

Application; contents

Sec. 1. A person who applies for a certificate as an occupational therapist or occupational therapy assistant must present satisfactory evidence to the committee that the person:

- (1) does not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the person was not able to practice as an occupational therapist or occupational therapy assistant without endangering the public;
- (3) has graduated from a school or program of occupational therapy or a program for occupational therapy assistants approved by the board; and
- (4) has passed an occupational therapist or occupational therapy assistant licensing or certifying examination approved by the board.

As added by P.L.238-1989, SEC.1. Amended by P.L.33-1993, SEC.33.

IC 25-23.5-5-2

Application; supervised fieldwork experience

Sec. 2. (a) The board may require a person who applies for a certificate as an occupational therapist to have successfully completed supervised fieldwork experience arranged and approved by the school or program from which the person graduated.

(b) The board may require a person who applies for a certificate as an occupational therapy assistant to have successfully completed supervised fieldwork experience arranged and approved by the program from which the person graduated.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-3

Application fee

Sec. 3. A person applying for a certificate under this article must pay a fee.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-4

Examination; minimum requirements

Sec. 4. A person who satisfies the requirements of sections 1 through 3 of this chapter may take the examination provided by the board.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-5

Examinations; times and places; subject areas

Sec. 5. (a) The committee shall provide for examinations to be given at least two (2) times a year at times and places established by the board.

(b) The committee shall provide for examinations that test a person's knowledge of the basic and clinical sciences as they relate to occupational therapy, occupational therapy theory and procedures, and other subjects the committee considers useful to test a person's fitness to practice as an occupational therapist or occupational therapy assistant.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-6**Issuance of certificate**

Sec. 6. The committee shall issue a certificate to a person who:

- (1) achieves a passing score, as determined by the board, on the examination provided under this chapter; and
- (2) is otherwise qualified under this article.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-7**Refusal to issue certificate; probationary certificate**

Sec. 7. The committee may refuse to issue a certificate or may issue a probationary certificate to a person if:

- (1) the person has been disciplined by an administrative agency in another jurisdiction; and
- (2) the committee determines that the violation for which the person was disciplined has a direct bearing on the person's ability to practice as an occupational therapist or occupational therapy assistant.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-8**Probationary certificate; conditions; removal of limitation**

Sec. 8. (a) If the committee issues a probationary certificate under section 7 of this chapter, the committee may require the person who holds the certificate to perform one (1) or more of the following conditions:

- (1) Report regularly to the committee upon a matter that is the basis for the probation.
- (2) Limit practice to areas prescribed by the committee.
- (3) Continue or renew professional education.
- (4) Engage in community restitution or service without compensation for a number of hours specified by the committee.

(b) The committee shall remove a limitation placed on a probationary certificate if after a hearing the committee finds that the deficiency that caused the limitation has been remedied.

As added by P.L.238-1989, SEC.1. Amended by P.L.32-2000, SEC.14.

IC 25-23.5-5-9

Expiration of certificate; renewal

Sec. 9. (a) A certificate issued by the committee expires on a date established by the health professions bureau under IC 25-1-5-4 in the next even-numbered year following the year in which the certificate was issued.

(b) A person may renew a certificate by paying a renewal fee on or before the expiration date of the certificate.

(c) If a person fails to pay a renewal on or before the expiration date of a certificate, the certificate becomes invalid.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-10

Reinstatement of invalid certificate

Sec. 10. (a) The committee shall reinstate an invalid certificate up to three (3) years after the expiration date of the certificate if the person holding the invalid certificate meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a certificate expired, the person holding the certificate may renew the certificate by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

As added by P.L.238-1989, SEC.1. Amended by P.L.269-2001, SEC.19.

IC 25-23.5-5-11

Temporary permit; requirements; expiration; renewal

Sec. 11. (a) The committee may issue a temporary permit to a person to profess to be an occupational therapist or occupational therapy assistant if the person pays a fee and the person:

(1) has a valid license or certificate to practice from another state and the person has applied for a certificate from the committee;

(2) is practicing in a state that does not license or certify occupational therapists or occupational therapy assistants but is certified by a national occupational therapy association approved by the committee and the person has applied for a certificate from the committee; or

(3) has been approved by the committee to take the next examination and has graduated from a school or program approved by the committee and the person has completed the fieldwork experience requirement.

(b) A person with a temporary permit issued under subsection (a)(3) may profess to be an occupational therapist or an occupational therapy assistant only under the supervision of an occupational therapist certified under this article.

(c) A temporary permit expires the earlier of:

(1) the date the person holding the permit is issued a certificate under this article; or

(2) the date the committee disapproves the person's certificate

application.

(d) The committee may renew a temporary permit if the person holding the permit was scheduled to take the next examination and the person:

- (1) did not take the examination; and
- (2) shows good cause for not taking the examination.

(e) A permit renewed under subsection (c) expires on the date the person holding the permit receives the results from the next examination given after the permit was issued.

As added by P.L.238-1989, SEC.1. Amended by P.L.48-1991, SEC.42.

IC 25-23.5-5-12

Notice of retirement from practice

Sec. 12. (a) A person who is certified under this article shall notify the committee in writing when the person retires from practice.

(b) Upon receipt of the notice, the committee shall:

- (1) record the fact the person is retired; and
- (2) release the person from further payment of renewal fees.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-13

Surrender of certificate; reinstatement

Sec. 13. (a) If a person surrenders a certificate to the committee, the committee may reinstate the certificate upon written request by the person.

(b) If the committee reinstates a certificate, the committee may impose conditions on the certificate appropriate to the reinstatement.

(c) A person may not surrender a certificate without written approval by the committee if a disciplinary proceeding under this article is pending against the person.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-14

Exemption from examination requirement

Sec. 14. A person who applies for a certificate under this article may be exempted by the committee from the examination requirement under section 6 of this chapter if the person:

- (1) is licensed or certified to practice as an occupational therapist or occupational therapy assistant in another state; or
- (2) is practicing in a state that does not license or certify occupational therapists or occupational therapy assistants and is certified by a national occupational therapy association approved by the board;

and is otherwise qualified under sections 1 through 3 of this chapter and pays an additional fee.

As added by P.L.238-1989, SEC.1.

IC 25-23.5-5-15

Graduate of educational program in foreign country; certificate requirements

Sec. 15. The committee may issue a certificate to a person who has graduated as an occupational therapist or occupational therapy assistant from an educational program in a foreign country if the person:

- (1) graduated from an educational program approved by the board;
- (2) does not have a conviction for:
 - (A) an act that would constitute a ground for a disciplinary sanction under IC 25-1-9; or
 - (B) a crime that has a direct bearing on the person's ability to practice competently;
- (3) has not been the subject of a disciplinary action initiated by a licensing agency of another state or jurisdiction on the ground that the person was not able to practice as an occupational therapist or occupational therapy assistant without endangering the public;
- (4) passes the examination required under this chapter; and
- (5) pays a fee.

As added by P.L.238-1989, SEC.1.